

AUG 31 2009

BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

FILED

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE,

PETITIONER,

VS.

CYNTHIA KAY OLSEN,

RESPONDENT.

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CONSENT ORDER

CAUSE NO. A-1843

In order to resolve this matter, the Nebraska Department of Insurance ("Department"), by and through its attorney, Martin W. Swanson and Cynthia Kay Olsen, ("Respondent"), mutually stipulate and agree as follows:

JURISDICTION

1. The Department has jurisdiction over the subject matter and Respondent pursuant to Neb. Rev. Stat. §44-101.01 and §44-4047, et seq.

2. Respondent was licensed as an insurance agent under the laws of Nebraska at all times material hereto.

STIPULATIONS OF FACT

1. The Department initiated this administrative proceeding by filing a petition styled State of Nebraska Department of Insurance vs. Cynthia Kay Olsen, Cause Number A-1843, on August 10, 2009. A copy of the petition was served upon the Respondent at the Respondent's address registered with the Department by certified mail, return receipt requested.

2. Respondent violated Neb. Rev. Stat. §§44-4059(1)(b), 44-4059(1)(h), 44-5905(2)(b)(i)(A), 44-5905(2)(b)(i)(B) and 44-5905(2)(b)(i)(B)(ii) as a result of the following conduct:

- a. On December 12, 2008, the Nebraska Department of Insurance received a complaint regarding the sale of a Medicare Supplement product to Complainant by Respondent. Cynthia Williamson (Williamson), an insurance investigator with the Nebraska Department of Insurance was assigned to investigate the case.
- b. Based upon that complaint, Williamson sent Respondent two letters, one on December 19, 2008 and on January 6, 2009. In those letters, Williamson asked for five items including a copy of the card that Respondent used to initially solicit Complainant.
- c. On January 13, 2009, Respondent responded. In the letter she indicated that she shredded all documents that were filled out when she visited with Complainant. Included among these documents were the lead card and all the application paperwork that was filled out at the time of the appointment.

3. Respondent was informed of the right to a public hearing. Respondent waives that right, and enters into this Consent Order freely and voluntarily. Respondent understands and acknowledges that by waiving the right to a public hearing, Respondent also waives the right to confrontation of witnesses, production of evidence, and judicial review.

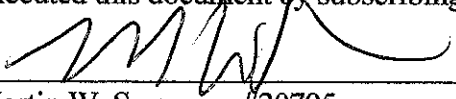
4. Respondent admits the allegations contained in the Petition that she violated Neb. Rev. Stat. §§44-4059(1)(b), 44-4059(1)(h), 44-5905(2)(b)(i)(A), 44-5905(2)(b)(i)(B) and 44-5905(2)(b)(i)(B)(ii).

CONCLUSIONS OF LAW

It is the conclusion of the Director of Insurance that Respondent's conduct as alleged above constitutes violations of Neb. Rev. Stat. §§44-4059(1)(b), 44-4059(1)(h), 44-5905(2)(b)(i)(A), 44-5905(2)(b)(i)(B) and 44-5905(2)(b)(i)(B)(ii).

CONSENT ORDER

It is therefore ordered by the Director of Insurance and agreed to by Respondent, Cynthia Olsen that Respondent shall pay an administrative fine of no less than \$750 due within thirty days after the Director of Insurance or his designee approves and signs this consent order. Respondent shall also cooperate in any manner prescribed by the Department with regard to any investigation and/or administrative hearing as necessary. If Respondent fails to do so, she shall be in contempt of this order and her license shall be automatically revoked. The Nebraska Department of Insurance shall retain jurisdiction of this matter for the purpose of enabling the Respondent or the Department to make application for such further orders as may be necessary. If Respondent fails, after the signing of this agreement, to perform any of the tasks assigned by this Consent Order, Respondent shall be held in contempt of this order and his insurance producers license shall be revoked immediately. In witness of their intention to be bound by this Consent Order, each party has executed this document by subscribing his or her signature below.


Martin W. Swanson, #20795
Attorney for Nebraska
Department of Insurance
941 "O" Street, Suite 400
Lincoln, Nebraska 68508
(402) 471-2201

8/24/09
Date


Respondent

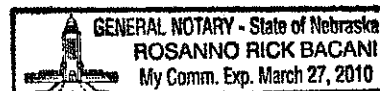
8/24/09
Date

State of NEBRASKA)
County of DOUGLAS) ss.

On this 26 day of AUGUST, 2009, Cynthia Olsen, personally appeared before me and read this Consent Order, executed the same and acknowledged the same to be his voluntary act and deed.



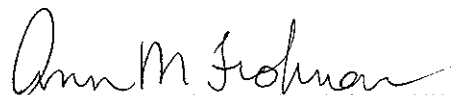
Notary Public



CERTIFICATE OF ADOPTION

I hereby certify that the foregoing Consent Order is adopted as the Final Order of the Nebraska Department of Insurance in the matter of State of Nebraska Department of Insurance vs. Cynthia Kay Olsen, Cause No. A-1843.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE



Ann M. Frohman
Director of Insurance

8/31/09
Date

CERTIFICATE OF SERVICE

I hereby certify that a copy of the executed Consent Order was sent to the Respondent, at 960 So. 117 Ct., Omaha, NE 68154, by certified mail, return receipt requested on this 31st day of August, 2009.

